

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (AT DAYTON)

PAYSOURCE, INC., <u>et al.</u> ,	:	CASE NO. 3:07CV0129
	:	
Plaintiffs,	:	(Judge Walter Herbert Rice)
	:	(Magistrate Judge Sharon L.
v.	:	Ovington)
	:	
MIRABILIS VENTURES, INC., <u>et al.</u> ,	:	DEFENDANT FRANK AMODEO'S
	:	MOTION FOR AN EXTENSION OF
Defendants.	:	TIME TO RESPOND TO
	:	<u>PLAINTIFFS' COMPLAINT</u>

Pursuant to S.D. Ohio Civ. R. 6.1 and Fed. R. Civ. P. 6(b)(1), Defendant Frank Amodeo moves for a two-week extension, to and including March 17, 2008, of the time he has to respond to Plaintiffs' Complaint. A Proposed Order granting this Motion will be emailed to the Court in accordance with S.D. Ohio Electronic Filing Policies and Procedures Manual §II.E.2.

Respectfully submitted,

/s/ Martin A. Foos

Charles J. Faruki (0010417)

Trial Attorney

Martin A. Foos (0065762)

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Attorneys for Defendant Frank Amodeo

**MEMORANDUM IN SUPPORT OF DEFENDANT FRANK AMODEO'S
MOTION FOR AN EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' COMPLAINT**

Pursuant to S.D. Ohio Civ. R. 6.1 and Fed. R. Civ. P. 6(b)(1), Defendant Frank Amodeo moves for a two-week extension of the time he has to respond to Plaintiffs' Complaint until March 17, 2008. Defendant Amodeo is not an Ohio resident. Defendant's attorney, Charles J. Faruki, has spoken with Defendant Amodeo and is scheduled to meet with him soon.

Mr. Faruki contacted Brian Sullivan, the Trial Attorney for Plaintiffs who, after checking with his client, informed Mr. Faruki that his client would oppose the requested two-week extension. This is the first extension requested by Defendant Amodeo.

Accordingly, Defendant Frank Amodeo requests until March 17, 2008 to respond to Plaintiffs' Complaint.

Respectfully submitted,

/s/ Martin A. Foos

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Attorneys for Defendant Frank Amodeo

CERTIFICATE OF SERVICE

I certify that on the 3rd day of March, 2008, I electronically filed the foregoing Defendant Frank Amodeo's Motion for an Extension of Time to Respond to Plaintiffs' Complaint with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to CM/ECF participants, and I hereby certify that I have mailed by United States Postal Service the document to the non-CM/ECF participants:

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/s/ Martin A. Foos

Martin A. Foos

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Plaintiffs,	:	(Judge Walter Herbert Rice)
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	:	
MIRABILIS VENTURES, INC., <u>et al.</u> ,	:	PROPOSED ORDER GRANTING
	:	DEFENDANT FRANK AMODEO'S
Defendants.	:	MOTION FOR AN EXTENSION OF
	:	TIME TO RESPOND TO
	:	<u>PLAINTIFFS' COMPLAINT</u>

For good cause shown, it is ORDERED that Defendant Frank Amodeo's Motion for an Extension of Time to Respond to Plaintiffs' Complaint is GRANTED, and Defendant Amodeo shall have until March 17, 2008 to respond to Plaintiffs' Complaint.

UNITED STATES DISTRICT JUDGE